
**Social Services
Appeal Board
of Saskatchewan**

Annual Report

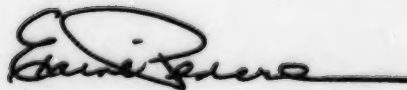
2000 - 2001

**Letter of
Transmittal**

**Honourable Harry Van Mulligen
Minister of Social Services**

Dear Mr. Van Mulligen:

**I hereby respectfully submit the
Annual Report of the Social Services
Appeal Board for the one year period
ending March 31, 2001.**

A handwritten signature in black ink, appearing to read "Elaine Pederson", with a long horizontal line extending to the right.

**Elaine Pederson
Chairperson**

July 2001

PREFACE

The Annual Report, presented to the Minister of Social Services provides a description of the Social Services Appeal Board, its mandate, development and procedures, and a summary of the nature of appeals heard by the Board during the year April 1, 2000 to March 31, 2001.

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MEMBERS OF THE BOARD

2000 - 2001

Chairperson:

Elaine Pederson

Members:

Lynn Brown

Arla Gustafson

Ruth Fiddler

Martin Aubichon

Joanne Tappin

Richard Redman

Gerry Cooke

Idella Barr

Chairperson and Board members are independent of the Department of Social Services. Appointments are made by Order-in-Council and are for a term of two years.

Gloria Edwards is the board secretary in Regina.

Yvonne Brandsema is the board secretary in Saskatoon.

INTRODUCTION

The ***Social Services Appeal Board*** is an independent tribunal whose role is to determine if clients have been treated fairly and in accordance with the regulations of the Saskatchewan Assistance Plan.

Legal authority is provided by *The Department of Social Services Act R.S.D. 1978, Section 10; The Saskatchewan Assistance Act R.S.S. 1966, Section 14(m)(n), 15-18; the Saskatchewan Assistance Plan Regulations, Section 43.*

Appeals to the ***Social Services Appeal Board*** are considered the final step in the three tiered appeal process established under the regulations. The first level of appeal is to the regional director and any dissatisfied client may appeal to this level. Once the regional director has taken a decision, the client has the option of continuing with the appeal should he/she be dissatisfied with the decision. Client appeals to the second level are arranged by the regional director and are heard by a Local Appeal Committee. Depending on the decision of the Local Appeal Committee, either the client or the regional director may choose to continue the appeal to the third and final level, the ***Social Services Appeal Board***.

The decision of the provincial board is final, unless it is not in accordance with the law. Clients and the department may appeal to the Court of Queen's Bench. Clients may also request an independent review by the Ombudsman who will investigate the case. The Ombudsman cannot change the decision of the board, however, she may investigate the matter and advise the board if she believes the claim to be substantiated.

LOCATION OF HEARINGS

Local hearings are held by the Local Appeal Committees in the major centres in each region. Provincial hearings are held in Regina and Saskatoon usually with a panel of four to six persons. A quorum is three members.

The chairperson attends all appeal hearings and writes the decisions which are conveyed in writing to clients usually within one week of the hearings. As part of the decision, the client is always advised of the rationale behind the board's decision.

Board members consider themselves obliged to adhere to the regulations of the Saskatchewan Assistance Plan but believe they have some flexibility in dealing with the internal policy guidelines.

The board has access to outside legal counsel and on occasion seeks advice regarding decisions.

CHAIRPERSON'S COMMENTS

Between April 1, 2000 and March 31, 2001 the Social Services Appeal Board received 135 appeal requests. This is a decrease of 37 cases from the previous year. The Regina and Northeast regions had the largest decreases (from 68 to 50 in Regina and from 26 to 12 in the Northeast). Eleven requests were denied or withdrawn. Twenty meetings were held in Regina and twenty-five in Saskatoon.

Decisions favoured clients in 25% of the cases. That is an 8.9% decrease from the previous years' figure but is more consistent with a ten year average.

Section 6(b) of the Saskatchewan Assistance Plan regulations remains the most common regulation considered at provincial appeals but, cases based on this section, decreased from 40% in 1999-2000 to 29.3% in 2000-2001. The board has observed a renewed emphasis on realistic case planning which seems to have had a positive effect. In the coming year, it will be interesting to review the impact of the redesigned Saskatchewan Assistance Plan program on employable clients.

Each year it has been the board's practice to address one particular area of concern. Disability issues and housing problems are examples of issues raised in earlier reports. During 2000-2001 the Social Services Appeal Board dealt with an increased number of older clients. Many of these people now require Level I or II care and it became clear current Saskatchewan Assistance Plan rates are inadequate. The demographics of the province suggest this problem is only going to get worse. The board encourages the Department of Social Services to review the situation with a view to ensuring affected clients will have the ability to access quality care.

TABLE 1

STATISTICS

Number of Local and Provincial Appeals 1995-96 to 2000-2001

	<u>Local</u>	<u>Provincial</u>
1995 - 1996	397	116
1996 - 1997	537	173
1997 - 1998	428	140
1998 - 1999	482	179
1999 - 2000	481	172
2000 - 2001	397	135

TABLE 2

LOCAL APPEALS: LOCATION AND DISPOSITION 2000 - 2001

Summary by Region

Region	Decision in Favour of Client	Decision in Favour of Department	Total
Regina	16	105	100
Saskatoon	15	119	120
Southeast	4	20	26
Southwest	0	7	9
Northeast	15	35	61
Northwest	10	73	81
Total	60	359	397

Note: Totals may not balance because one appeal may result in more than one decision.

TABLE 3
SOURCE OF PROVINCIAL APPEALS 2000 - 2001

Region	Appealed by Client	Appealed by Director	Total
Regina	46	4	50
Saskatoon	31	9	40
Southeast	6	1	7
Southwest	8	0	8
Northeast	10	2	12
Northwest	15	3	18
Total	118	19	135

Note: 5 requests for appeals were denied
9 appeals were withdrawn

Some cases were appealed by both client and director

TABLE 4

PROVINCIAL APPEALS 2000 - 2001

Summary by Region

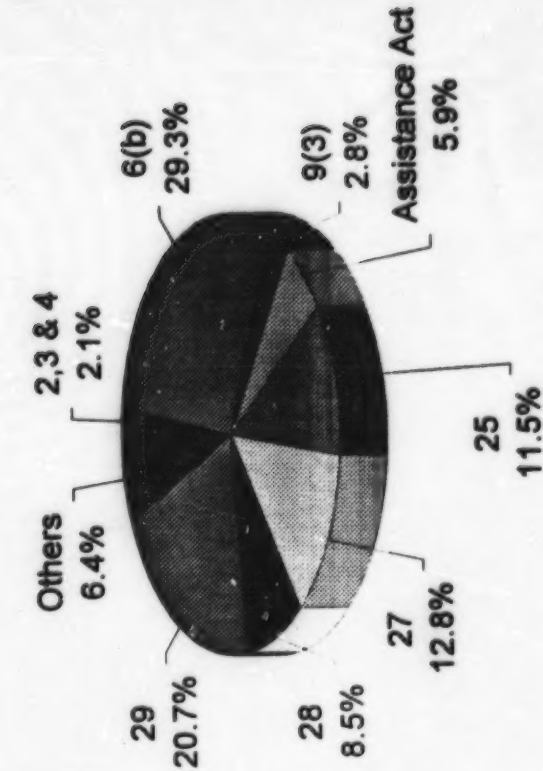
<u>REGION</u>	<u>CLIENT SOURCED</u>		<u>DIRECTOR SOURCED</u>	
	For Client	Against Client	For Director	Against Director
Regina	12	30	2	2
Saskatoon	7	25	7	4
Southeast	0	5	1	0
Southwest	1	4	0	0
Northeast	2	9	0	1
Northwest	2	9	2	1
Total	24	82	12	8

The number of appeals received and the number of decisions is not equal due to denials, withdrawals and split decisions.

Table 5

Social Services Appeal Board - Appeals by Reason (the segments represent the SAP Regulation appealed)

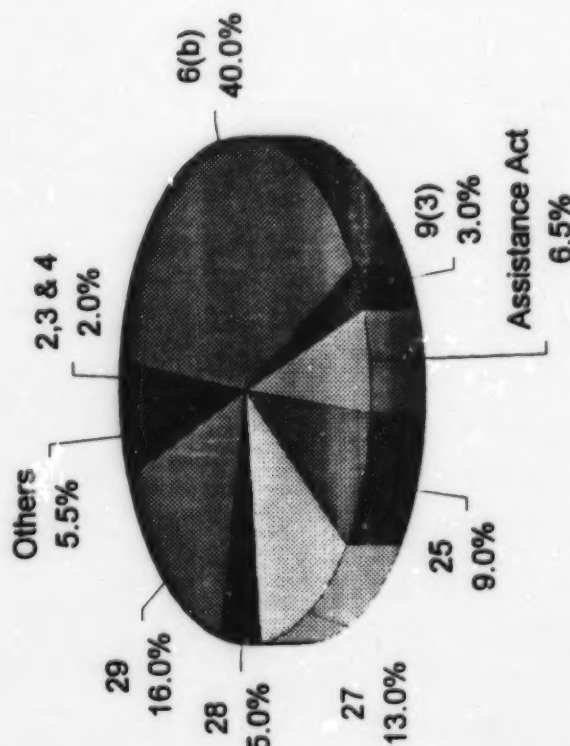
2000-2001



special needs
income exemptions
excess income or assets
includes Off Reserve funding, failure
to co-operate, benefits for farmers,
university students, right to appeal

27
28
29
Others

1999-2000



2,3 & 4 common-law, etc
6.(b) failure to explore every possibility of self-support
Sask. Assistance Act - Section 29.3, 29.5 - overpayments
25 basic needs, food, clothing, shelter
9(3) method of calculating entitlement

TABLE 6

APPEAL BOARD MEETINGS

Provincial Appeals Heard in Regina and Saskatoon

1997-98 to 2000-01

	<u>REGINA</u>		<u>SASKATOON</u>	
	<u>Meetings</u>	<u>Cases Heard</u>	<u>Meetings</u>	<u>Cases Heard</u>
1997 - 98	18	58	21	67
1998 - 99	25	69	30	93
1999 - 00	25	72	29	83
2000 - 01	20	55	25	57

THE PROVINCIAL OMBUDSMAN

2000 - 2001

<u>Cases Opened</u>	<u>Cases Closed</u>	<u>Not Substantiated</u>	<u>Substantiated & Rectified</u>	<u>Substantiated & Unresolved</u>	<u>Discontinued</u>
10	11	10	0	2	0
				-	-
			<i>Cases outstanding April 1, 2000</i>	-	<i>11</i>
			<i>Cases outstanding March 31, 2001</i>	-	<i>9</i>